

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**LASHUNDRA JACKSON,**

**Plaintiff,**

**v.**

**STATE OF ALABAMA DEPARTMENT OF  
TRANSPORTATION, JOE MCINNES, *etc.*,**

**Defendants.**

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**CASE NO. 2:07-cv-645-MEF**

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COME NOW Defendants, the State of Alabama Department of Transportation (hereinafter "ALDOT") and Joe McInnes, and move this Court to grant them summary judgment in this matter. As grounds therefor, Defendants state as follows:

1. Plaintiff has failed to state a claim for which relief can be granted.
2. Plaintiff has failed to set forth a *prima facie* claim for racial discrimination under either Title VII or 42 U.S.C. § 1981.
3. Plaintiff has failed to set forth a *prima facie* claim for gender and pregnancy discrimination under Title VII.
4. Plaintiff has failed to set forth a *prima facie* claim for retaliation under either Title VII or 42 U.S.C. § 1981.
5. Defendants are entitled to favorable summary judgment as a matter of law.
6. Defendants file contemporaneously herewith their Memorandum Brief and Evidentiary Materials in Support of this Motion for Summary Judgment.

RESPECTFULLY SUBMITTED  
TROY KING  
ATTORNEY GENERAL

s/ Andrew W. Redd

Jim R. Ippolito, Jr. (IPP001)  
Assistant Attorney General  
Chief Counsel

Andrew W. Redd (RED001)  
Jason A. Trippe (TRI012)  
Assistant Attorneys General  
Assistant Counsel

**ADDRESS OF COUNSEL:**

State of Alabama Department of Transportation  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110  
Telephone: (334) 242-6350  
Facsimile: (334) 264-4359  
[reda@dot.state.al.us](mailto:reda@dot.state.al.us)  
[trippej@dot.state.al.us](mailto:trippej@dot.state.al.us)

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<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	<b>CASE NO. 2:07-cv-645-MEF</b>
<b>STATE OF ALABAMA DEPARTMENT OF</b>	)	
<b>TRANSPORTATION, JOE MCINNES, <i>etc.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that, on **May 30, 2008**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Kell A. Simon, Esq.  
Ross Melton, P.C.  
1104 San Antonio Street  
Austin, Texas 78701  
ATTORNEY FOR PLAINTIFF

s/ Andrew W. Redd  
Andrew W. Redd (RED001)  
Assistant Attorney General  
Assistant Counsel

**ADDRESS OF COUNSEL:**  
State of Alabama Department of Transportation  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110  
(334) 242-6350 (office)  
(334) 264-4359 (facsimile)  
[reda@dot.state.al.us](mailto:reda@dot.state.al.us)